

SENATE JOINT RESOLUTION 834

By Burks

A RESOLUTION to create a study committee concerning the delivery and funding of protective services to adults.

WHEREAS, the Tennessee department of human services received approximately 9,780 referrals in fiscal year 2009 alleging the abuse, neglect, or financial exploitation of elderly or disabled adults who cannot protect themselves due to age, physical or mental dysfunctioning, or a combination of these circumstances; and

WHEREAS, the effective and timely delivery of protective services to such persons is critical in ensuring that the state's vulnerable adult population can receive services necessary to prevent or alleviate the effects of abuse by caretakers, self-neglect, and the financial exploitation of such persons by others; and

WHEREAS, the manner in which a society treats those who are unable to help themselves is a measure of that society's compassion and caring; and

WHEREAS, services for the protection of Tennessee's abused, neglected, and financially exploited vulnerable adults is of significant importance due to the increasing numbers of elderly and disabled adults in Tennessee; and

WHEREAS, the resources of the department of human services and other agencies whose mission is to protect vulnerable adults have increased little, if any, over time, and their resources are extended to the maximum extent in their efforts to serve those vulnerable adults in need of services to protect them from harm; and

WHEREAS, the laws governing the provision of adult protective services may limit or prevent the effective delivery of those services and should be reviewed to ensure that there is adequate legal authority and that there are effective procedures to allow protective services to be delivered to those in need; now, therefore,

BE IT RESOLVED BY THE SENATE OF THE ONE HUNDRED SIXTH GENERAL ASSEMBLY OF THE STATE OF TENNESSEE, THE HOUSE CONCURRING, that there is hereby created a special committee to study the delivery of protective services to vulnerable adults and the adequacy of resources devoted to that purpose.

BE IT FURTHER RESOLVED that the committee shall consist of the following organizations and persons:

- (a) One (1) member of the Senate General Welfare, Health and Human Resources Committee and one (1) other member of the Senate, each selected by the Speaker of the Senate;
- (b) One (1) member of the House Health and Human Resources Committee and one (1) other member of the House, each selected by the Speaker of the House;
- (c) Two (2) representatives of the adult protective services division of the Tennessee department of human services selected by the commissioner of human services;
- (d) Two (2) representatives of the Tennessee commission on aging and disability selected by the executive director of the commission;
- (e) One (1) representative of the American Association of Retired Persons appointed by the governor;
- (f) One (1) representative of the Tennessee Disability Coalition appointed by the governor;
- (g) One (1) representative of the Disability Law and Advocacy Center of Tennessee appointed by the governor;
- (h) One (1) medical professional and one (1) mental health professional engaged in geriatric practice appointed by the governor;
- (i) One (1) medical professional and one (1) intellectual disability services professional engaged in care for disabled adults appointed by the governor;
- (j) One (1) representative of the Tennessee department of health selected by the commissioner of health;

(k) One (1) representative of the TennCare bureau selected by the deputy commissioner of TennCare;

(l) One (1) representative of a legal service organization that represents indigent persons appointed by the governor;

(m) One (1) representative of the Tennessee Vulnerable Adult Coalition (TVAC) not otherwise represented in the groups named above appointed by the governor;

(n) One (1) judge with experience in deciding adult protective services cases selected by the administrative office of the courts;

(o) Two (2) law enforcement officers with experience in investigating cases of alleged abuse, neglect, or financial exploitation of vulnerable adults appointed by the governor upon recommendation of the Tennessee Association of Chiefs of Police and the Tennessee Sheriffs' Association;

(p) One (1) representative of the division of intellectual disabilities services of the Tennessee department of finance and administration selected by the deputy commissioner of the division; and

(q) One (1) representative of the Tennessee department of mental health and developmental disabilities selected by the commissioner of mental health and developmental disabilities.

BE IT FURTHER RESOLVED, that all appropriate state agencies shall provide assistance to the special committee upon request of the chair.

BE IT FURTHER RESOLVED, that all legislative members of the special committee who are duly elected members of the General Assembly shall remain members of such committee until the committee reports its findings and recommendations to the General Assembly. Non-legislative members shall serve without compensation.

BE IT FURTHER RESOLVED that the special committee shall be convened by the member appointed from the Senate General Welfare, Health and Human Resources committee, and, at its first meeting, the committee shall elect a chair, vice-chair, and such other officers as the committee deems necessary for the conduct of the study.

BE IT FURTHER RESOLVED, that the special committee shall timely report its findings and recommendations, including any proposed legislation and funding needs for the provision of adult protective services, to the One Hundred Seventh General Assembly no later than February 1, 2011, at which time the committee shall cease to exist.